

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CHARLES BLEVINS,

Petitioner,

-vs-

WARDEN, Ross Correctional Institution,

Respondent.

:

Case No. 1:05-cv-038

:

Magistrate Judge Michael R. Merz

:

ORDER DISSOLVING STAY

On March 16, 2011, the Ohio Supreme Court declined jurisdiction over Petitioner's appeal to that court from denial by the First District Court of Appeals of his *pro se* motion to amend his state post-conviction petition (Entry, Case No. 2010-2263). Accordingly, Petitioner appears to have exhausted his available state court remedies and the stay of these proceedings pending exhaustion (Doc. No. 56) is DISSOLVED.

Respondent shall file an amended answer containing any additional material from the state court record necessary for this Court's decision not later than May 1, 2011. Petitioner shall file his amended reply and any request for discovery and/or an evidentiary hearing not later than June 1, 2011.

April 14, 2011.

s/ **Michael R. Merz**
United States Magistrate Judge